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ABSTRACT

This booklet is designed to give Oklahoma school administrators some basic understanding of the rationale behind bilingual-bicultural education, and some guidance in implementing such programs. The beginning sections are aimed at explaining bilingual programs from a historical, sociological, and linguistic point of view. The remaining sections of the booklet cover the development and operation of a bilingual program, curricular considerations, and program evaluation. The appendix consists of summaries of court cases concerning bilingual education, and a bibliography concludes the volume. (CLK)

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TO LIVE IN TWO WORLDS

A Handbook For Oklahoma School Administrators On Implementing Bilingual Education Programs

U.S. DEPARTMENT OF HEALTH
EDUCATION & WELFARE
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OKLAHOMA STATE DEPARTMENT OF EDUCATION

Leslie Fisher, State Superintendent

1977

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TO LIVE IN TWO WORLDS

Foreword

All of us involved in the education of children, and that includes parents, are acutely aware of the necessity of being able to communicate, to be understood, and to understand what others are saying to us.

For the average child who grows up in a home speaking only the English language the problem is difficult enough. But imagine, for a moment, that the child is suddenly thrust into an environment where the sound of the language he hears is but a babble, noise without meaning, sound without significance.

Suddenly, that child is more alone than most of us can imagine. That child, those children, cannot make their wants and needs known, to other students, to teachers. There is no chance for identification, no chance to be a part of the society into which they have been brought when they are uprooted from their native soil.

And that's what bilingual-bicultural education is all about. We have a job to do. The job is providing these youngsters with the chance to become at home in another language and in another culture so that they may, in truth, have the chance to know the best of both worlds, their own native world, and their Oklahoma world, in America.

The men and women who have put together this guidebook on bilingual-bicultural education hope it will be of help to you. I think it will.

Sincerely,

Leslie Fisher

Leslie Fisher
State Superintendent

FL009028

Preface

This booklet is designed to give the Oklahoma school administrator some basic understanding of the why's and wherefore's of bilingual education. The beginning sections are aimed at explaining bilingual programs from a historical, sociological and linguistic point of view. It is hoped that the reader will see that such programs are not really new or unique and that the need for them has legal, moral and educational justification.

The remaining sections of this booklet will help the schools begin to plan for implementation of bilingual education programs. Some suggestions are also given in the area of testing and evaluation.

The needs of schools and students differ and it is certainly not the intent of the writers that this handbook answer all questions on bilingual education programs. Some schools may wish to seek federal funding for program development; others may use local and state funds. Approaches to program will differ accordingly. Various professional resources are available to the school district which is thinking about developing a bilingual program and it is hoped that this booklet will provide a link in that chain.

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Resources

The following is a partial listing of resource agencies which can be contacted for assistance by schools contemplating the establishment of bilingual/bicultural programs:

Office of Bilingual Education
Department of Health, Education and Welfare
Washington, D. C. 20202

National Bilingual Resource Center
University of Southwestern Louisiana
P.O. Box 4-3410 USL
Lafayette, Louisiana 70504

Dissemination and Assessment Center
for Bilingual Education
6504 Tracor Lane
Austin, Texas 79721

Bilingual Education Consultant
Oklahoma State Department of Education
2500 N. Lincoln Blvd.
Oklahoma City, Oklahoma 73105

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Chapter 1

Introduction

Without question, the use of bilingual-multicultural education as a legitimate approach to instruction in school classrooms across the country testifies to its status as one of the most dynamic of our contemporary educational thrusts. However, because such an approach strikes at a fundamental basis of American schooling — the language of instruction — and because of its complex foundations in sociology, psychology, linguistics, civil rights, politics, and educational theory, it has caused misunderstanding

and anxiety in many sectors of the education community.

Many people do not realize that in this country's past, non-English and bilingual instruction were more often the rule, rather than the exception. Many non-European languages were spoken by the original settlers of the U.S., the native American Indians. The European languages of the first colonists were Spanish, French, Dutch, and English. As early as 1550, there is record of bilingual education by Jesuit and Franciscan missionaries in what is now the southwest United States. In the East, native American schools operated by Protestant missionaries were bilingual. During the 1700's, school instruction throughout Pennsylvania, Maryland, Virginia, and the Carolinas was given in German, often to the exclusion of the English. For the most part, bilingual education was utilized for religious instruction in most schools which were, at this time, church operated and supported. However, beginning around 1816 and continuing until 1890, free public schools were established and oftentimes employed a bilingual approach.

There were a number of states which enacted laws permitting bilingual instruction including Pennsylvania, Ohio, Arizona, New Mexico, Wisconsin, Iowa, Kentucky, Minnesota, Indiana, Oregon, Colorado and Nebraska. Throughout this period, large city school districts such as Cincinnati, Dayton, Indianapolis and Baltimore maintained bilingual public schools. As late as 1884, a school law was passed in New Mexico which recognized the public, Spanish-language elementary schools. Here in Oklahoma, the Cherokees had an educational system which produced a "population 90 percent literate in its native language and used bilingual materials to such an extent that Oklahoma Cherokees had a higher English literacy level than the Anglo populations of either Texas or Arkansas" (Gonzalez, 1975).

Such bilingual schools waned after a congressional commission established boarding schools and assimilation policies for native Americans. The advent of mandatory attendance laws for public schools, the elimination of public funding for church-related schools, and the movement towards a nationalistic, isolationist policy in the U. S. led quickly to a nationwide imposition of English-only instructional policies.

From about 1890 to 1960, language legislation was the most restrictive in the history of the U.S. This was a period of tremendous growth precipitated primarily by an enormous influx of non-English speaking immigrants. The utilization of the English language as the language of instruction until approximately 1960 is the result of a decision reached on extra-educational grounds. This decision was a political measure which supported the melting pot concept, the goal of which was to shed the "old" ways for the "new," American ways. From the beginning of World War I until only recently, bilingual education was officially restricted almost to the point of extinction.

However, in the early 1960's, as the result of the heavy influx of Cuban refugees, bilingual education was resurrected to accomodate the thousands of Spanish-speaking students. The Dade County (Miami) public schools received national attention for their bilingual efforts. Soon, advocates from other areas of the country established bilingual projects in their respective institutions. In 1966, the NEA Conference in Albuquerque, New Mexico, triggered national attention to the needs of language-different children. In 1967, hearings were held in the U. S. Senate relative to the specific needs and finally in 1968, the Title VII Bilingual Act was passed making bilingual education a nationally endorsed educational approach.

Since this time, some states have mandated bilingual education for language-different

children. In other instances the right of children to have bilingual education as their educational experience has been affirmed in several court cases. The impact of such court cases and the escalating role of the Department of Health, Education and Welfare serve notice to all educators that equal educational opportunity is a reality only when we have programs which speak specifically to the unique needs of all students within our public schools, including linguistically different children.

SOCIOLOGICAL IMPLICATIONS

The advent of bilingual programs in the United States has caused a serious challenge to the established practices of American education. Originally, bilingual education programs created through legislation displayed certain basic characteristics. Among such characteristics were:

1) Remedial/compensatory in nature, i.e., they presumed linguistic and/or cultural deficiency on the part of language different students.
2) Transitional in nature, i.e., the primary emphasis was learning English.
3) Clientele of the programs were students who already possessed a language other than English.
4) Restrictive programs, i.e., the emphasis was entirely linguistic with no regard for cultural factors.

Each of these ideas helps define bilingual education as a stepping stone to English and never as an educational goal worthy of promoting in and of itself.

There has also been an effort at implementing bilingual programs which are more realistic and educationally sound. Such programs are not restricted to students from a particular ethnic group. Instead, all students are involved in linguistic and culturally pluralistic schooling. The assumption is that all students benefit from an active participation in and appreciation of each other's background.

Essentially, such programs suggest that there is a close relationship between movements toward (1) equality of educational opportunity for language minority groups and those geared towards (2) quality education for all children in the United States.

Recent developments clearly indicate that a definite turn has occurred in the minds of many educators regarding the inclusion of minority children's culture in the curriculum to which they are exposed in school. As any observer can tell us, there is a great and growing desire on the part of many Americans to re-establish their "roots" and their cultural heritage.

LEGAL REQUIREMENTS

In the broadest sense, the struggle for bilingual-multicultural education is a political struggle for educational resources, employment opportunities and cultural identity. The passage of the Bilingual Education Act in 1968 shattered the idea that the promotion of bilingualism and multiculturalism is incompatible with the spirit of the Constitution. Advocates of bilingual education are increasingly taking their cases to the courts in their efforts to secure quality bilingual-multicultural programs. Bilingual-multicultural education is a relatively new phenomenon to both the courts and legislatures. The creation of new legal rights and duties predictably has created uncertainties. Some uncertainties have been clarified by specific court cases. The appendix contains a summary of recent court cases and other pertinent rulings relative to bilingual-multicultural education for Oklahoma and the United States. An examination of the summary will show a trend which obligates school authorities to adopt bilingual programs as a means to secure an equal educational opportunity for language-different children.

Chapter 2

Rationale

The pluralistic culture and multilingual society in which we live today requires a more realistic approach toward meeting the needs of children in our schools with a language other than English as their native language. Such an approach not only requires a recognition of cultural and linguistic differences, but an acceptance of the concept that such differences do influence these individuals' perception or way of internalizing new knowledge, while at the same time enhancing their personal growth and self-concept.

In the United States, we find ourselves as the sixth largest Spanish-speaking country on the face of the earth. Only the populations of Mexico, Spain, Argentina, Columbia, and possibly Peru exceed the Spanish-speaking population of the United States. According to Bruce Gaardner, about five million persons of school age in the U.S. enter school not knowing English and are in need of special attention. Of this group, 1.75 million speak Spanish. There are, in addition, 77,000 native Americans and 30 other language-different groups which include French, German, Polish, Chinese, and Portuguese.

A 1976 survey conducted by the Oklahoma State Department of Education indicates that there are 55 school districts in which approximately 5,235 language-different children are enrolled. Thirteen of the school districts reported that they had from 100-500 such students in their school. The remaining 42 districts reported as few as 19 to as many as 97 students who spoke a language other than English.

The Office of Bilingual Education, created in 1967, began operation with an initial appropriation of $7.5 million. This supported approximately 76 bilingual programs in 21 states. In fiscal year 1974, $35 million was allotted to 213 bilingual education programs in 29 states and the trust territories. At this time, Oklahoma has four basic programs funded under this act. Unfortunately, this still falls far short of meeting the needs of many children whose language is other than English.

The probability for successful achievement in schools is low for children whose native language is other than English. The rate of school failure has been high among the American Indian and Spanish-speaking people in the southwestern U.S. If the goals of education are to be realized for all individuals, the English-dominant educational system must accept diverse linguistic and cultural patterns as strengths and not weaknesses. This means that the educational institutions must restructure and rethink the entire school program in order to implement goals which promote and enhance academic achievement, positive self-concept, and an understanding and preservation of our collective and diverse national heritage. Bilingual multicultural education is one means by which the educational system can assure this equal educational opportunity. Because the United States has traditionally been seen as a "melting pot" society instead of one in which a variety of languages, attitudes, and beliefs have coexisted, the use of English only in the classroom has left thousands of children illiterate in their native language and, unfortunately in too many cases, has fostered low academic achievement levels in English itself.

The school is an institution whose task is to organize the best possible education for all children. It has an unusual opportunity and responsibility to develop a forward-looking approach wherever linguistically different children are enrolled. However, the development of such an approach requires a sound understanding of the linguistic, social, psychological, and cultural factors which affect the learning situation of non-English speaking children.

LINGUISTIC FACTORS

Language permeates all human interaction regardless of place, situation, or topic. An individual who wants to know and understand himself or others must at some time come to understand and appreciate the nature of the linguistic system which plays such a vital role

in one's everyday life.

Children display an amazing ability to learn a language or languages. All language is a symbolic system which transmits meaning. As children develop, they acquire the unique sound system (phonology), syntax (grammatical structure), and lexicon (vocabulary), which is characteristic of that child's culture and community. Language experts tell us that if we inhibit the natural development of a child's mother tongue at too early an age and force upon him an unfamiliar one, neither language is likely to become fully developed. Great damage can be done to the self-image of such a young child.

To avoid such an occurance, special techniques, materials, and methodology are necessary. These approaches, in many ways must follow the same procedure as that of acquiring a first language – listening, understanding and speaking. However, it should not be forgotten that non-English speaking children have mastered the native language and are ready to begin other aspects of language arts and reading readiness skills in their own language. All too often this is forgotten and many children are not allowed to continue this process until they have mastered the English language. Consequently, valuable learning time is wasted by not using the native language as the basis for developing other readiness skills.

Bilingual education encompasses the acquisition and utilization of two languages or two linguistic codes. In some cases, as in English and Spanish, the two codes are relatively similar in terms of structure and semantics, and these similarities can be used to help the student better understand the target language. However, this is not necessarily true of other languages found in Oklahoma such as Seminole, Choctaw, Cherokee, Chickasaw and Vietnamese. Therefore, it becomes necessary for teachers to study the native language and to utilize classroom aides in order to make the adoption of the target language. There is an ample amount of literature available to teachers to help gain an insight and understanding of any possible interferences which might occur when learning English as a second language.

SOCIO-CULTURAL AND PSYCHOLOGICAL FACTORS

Since all behavior is the product of one's environment, it is essential that the social-cultural and psychological environment in which a bilingual individual interacts become an element of concern. Those involved in bilingual education must acquire an understanding of (1) attitudes toward the target language both by the child and community; (2) cultural values as reflected in both the native and target language; and (3) the motivational factors which enhance or inhibit the learning of a new language.

A knowledge of how language functions in the community is essential in determining the type and purpose of instruction that is to be utilized in the classroom. For example, in many Mexican-American communities, the native language is used and maintained for certain specific purposes while the secondary language is employed for other purposes. Saville and Troike state that the maintenance of the native language "is sometimes called diglossia, and creates a need for students to develop a somewhat different range of skills in each language." For example, it is possible that Spanish, the first language, may be used in personal interaction such as the home, church, and neighborhood while the second language, English, is considered more appropriate for business or non-personal situations. In other communities, it is not uncommon for individuals to codeswitch in the middle of sentences or paragraphs. An individual may begin to speak in English and mid-way through the conversation switch to Spanish, or vice-versa. This particular type of speech is often thought to be inferior and the rationale for its occurance has been that the individual is not competent in Spanish or English. However, sociolinguistic research by Gumperz has demonstrated that this type of switching is a communicative skill to be valued because it is rule governed as all language is, and it also serves a special function within the Spanish-speaking community. Codeswitching may be the result of verbal strategies, i.e., group identification

or it may result because the content of communication may be evidence of a cultural value. This kind of codeswitching is also done in many of Oklahoma's communities where Indian languages are still in use by thousands of people. This is an effective use of language which most teachers are not aware of. A knowledge and understanding of these processes and purposes are important for those involved in developing a program whose goal it is to establish communicative competence in both the primary and target language of the child.

The influence of the home on learning and motivation is of primary concern for teachers dealing with bilingual education. For too long the myth that many minority groups do not value education for their children is one that has influenced teacher attitudes towards minority language children. Research on the Mexican-American, for instance, has shown that there is little or no difference between Mexican-American parents and Anglo parents in terms of the value placed on formal education for their children. Some research has shown that the educational failure of Mexican-American students is not the result of lack of parental or self-motivation, but rather the result of inadequate educational programs in which social cultural and linguistic factors were not taken into consideration.

Student motivation itself is twofold. One, the individual must receive some self-satisfaction from the learning situation indicating that he or she has succeeded in some positive way, and two, the social or extrinsic reinforcement received by those around them must also be positive. For linguistically different children, the prohibition to use their own language in the school environment has been a deterrent in motivating children to feel positive about school, themselves, their culture, and the learning process. Unfortunately, students are unable to express their confusion or lack of understanding and thus "turn off" their interest because the threat of discipline, rejection and/or ridicule is greater than the threat of not knowing. Bilingual education eliminates all of these threats. A child is free to express any uncertainties or misunderstandings in the native language as well as develop positive feelings about himself/herself.

It is an established fact that the greatest factor in the learning process is the teacher. If the teachers have a negative attitude toward a non-English speaking child, they are less likely to encourage the learning process of that child. On the other hand, it is not enough for the teachers to be sympathetic toward the child. They must recognize the relationship between language and culture in order to eliminate any barriers which arrest the child's learning potential. The teacher needs to understand and appreciate the cultural background of the child, the cognitive learning styles for all children, and the differences and similarities between the primary and target language being taught.

Language is but one aspect of culture. The importance of incorporating cultural factors into the school curriculum must also be acknowledged and acted on. The cultural heritage of all ethnic groups should play an important role in producing a positive atmosphere in which learning can take place. Such a recognition creates an aura of price and respect among all members of the class.

IN SUMMARY

The rationale for bilingual education rests on the following human assumptions:

1. Bilingual - multicultural education represents a realistic approach toward meeting the needs of language different children who enter the educational system.
2. Bilingual education involves instruction in two languages: (a) the child's native language; and (b) and English language.
3. Bilingual-multicultural education provides a contribution to our society as a whole because it provides: (a) equal access to education for all; (b) equal opportunity among all people; and (c) respect and understanding among all groups resulting in workable and trustworthy relations.

Chapter 3

Developing A Bilingual Program

The steps for developing a bilingual program at the school district level are no different from those steps used to develop any other curricular program.

A bilingual program must possess purpose, structure, and staff personnel. The purpose of a bilingual program must be consistent with the goals and objectives of the local school district. The program structure in terms of administration, procedures, and intended outcomes should be compatible with the structure that the local school district utilizes in adherence to local, state, and national guidelines for education. Personnel in the program are all the people who, either directly or indirectly, affect the growth and development of the program. The key individuals in the bilingual program are the children.

A bilingual program is designed to strengthen and sustain the existing educational programs in the local school district. Although the original intent of a bilingual program is to provide for the needs of language-different children, the district should realize that maximum benefits of a bilingual program, like that of any other program, are realized only when the program is made available to all children in the school regardless of linguistic, social, and economic orientations. Bilingual programs have been most effective in local school districts that have seen its benefits in terms of enrichment rather than remediation.

THE STUDY COMMITTEE

A local school district seriously considering the implementation of a bilingual program should initiate its investigation through the use of a study committee. The study committee is an ad hoc committee whose tasks are two-fold: (1) to survey the need for bilingual education in the school district, and (2) to examine general descriptions of bilingual programs that meet the needs not only of language-different students, but of all students. The study committee functions best as an advisory group without decision-making

characteristics. Its membership should be broad-based to include administrators, teachers, patrons, and students. This committee should report directly to the superintendent of schools or his designated representative.

THE NEEDS ASSESSMENT

Once the district has recognized the need for a bilingual program, it should conduct a needs assessment. The needs assessment should help the LEA clarify the following issues: (1) the extent to which bilingual education as a specific program area is necessary, desirable, and attainable; (2) an operational area of agreement on which a bilingual program can lay its foundation; (3) what students may benefit from this type of academic and social orientation.

The needs assessment is carried out at three organizational levels: (1) the Central Administration Level include the superintendent of schools and other key administrators who are the "ultimate decision-makers and implementors of adopted school board policies"; (2) the Special Programs Level includes the directors and/or key personnel in such programs as Title I, Right-to-Read, Learning and/or Language Disabilities; (3) the Attendance Center Level includes the building principal, teachers, students, and patrons of a particular school.

In conducting a needs assessment, the school district should use norm-referenced and criterion-referenced instruments which provide definitive and descriptive results. The data collected from the instruments used should assess and/or measure the present performance of the instructional components being investigated. The identification and appraisal of students eligible for participation in a bilingual program should be consistent with whatever board policies and administrative regulations the district may have relative to the assignment, placement, and referral of students to particular educational programs such as Title I.

A well-planned and exectued needs assessment should include (1) an investigation of test scores made by students on instruments such as achievement tests; (2) an investigation of scores on any language dominances tests that may have been administered to prospective students; (3) an appraisal of comments made by other school personnel, for example, guidance counselors; (4) an appraisal of comments made by the parents of the school-community where the implementation of a bilingual program is being considered. This establishes baseline data for the program.

The needs assessment should include all the activities and operations carried out by the local school district for the purpose of examining and evaluating the relationship between a bilingual program and the total instructional program of the school district. Finally, a needs assessment is truly viable when it has the approval of the local board of education.

BILINGUAL PROGRAM GOALS

Bilingual education programs must ultimately move toward the attainment of the goals and objectives of the local school district. A bilingual program must demonstrate a concern for the fundamental educational plan and the total instructional program of the school district. More specifically, however, the program should address the following issues: (1) maintenance of the native language; (2) introduction and development of the second language; (3) acquisition of knowledge and understanding relative to our multicultural society; and (4) the development of a positive self-concept.

The learning environment in a bilingual program focuses attention on the needs of the individual student, the nature and needs of society, and systems of values. In preparing a particular set of objectives for the bilingual program, the local school district should consider the relative significance of external variables like type of content, content organization, scope, sequence, methods, media, and evaluation. Each of these external variables is important in the development of a

bilingual program which maximizes the learning opportunities of all the students participating in the program. Thus the learning environment of the program must promote learning and living in two languages and/or cultures.

PERSONNEL AND STAFFING

The goals of a bilingual program are carried out by the personnel who legislate, execute, and interpret the local, state and national policies which affect the conduct of bilingual education as a learning alternative for school children. At the local level, the board of education with the assistance and support of the superintendent of schools should endorse the right of all school children to learn in their first language. This endorsement in the form of a written board policy paves the way for establishing the legitimacy of bilingual education as a sanctioned school program. Bilingual education programs are generally very successful when implemented with the consensus support of the school administration.

The administrators, especially building principals, should create an organizational climate in their areas of responsibility that will enhance the growth and development of bilingual education as an integral part of the school program. The activities of a bilingual program should be planned, prepared, and implemented at the building level by the teachers, the consultants, and the building principal, who are involved directly with the school children who receive this type of instruction.

As the program develops and identifies more children for participation, the planning, preparation, and implementation of bilingual education should become more centralized. **The formulation of policies concerning bilingual programs should become a cooperative and coordinated process between representatives from the central office and the individual schools.** At the appropriate time, the superintendent of schools should recommend to the board of education that a full-time administrator be identified to assume responsibility for the program. Most often, this administrator is called the Director of Bilingual Education Programs and they are responsible to the Assistant Superintendent for Instructional Affairs.

The participation of parents in the implementation of bilingual education programs is one of the program's strongest assets. Parents of participating students should be invited and encouraged to give input into program planning and practices. The PTA in an individual school may be used initially to give advice and consent. Later when the program has evolved more completely, parent advisory committees which concern themselves with issues emanating from the program may be formed. All activities of parents related to bilingual education should be approved by the appropriate school administrator. Parental involvement does not imply that parents are decision-makers in bilingual education programs. Parental involvement does mean, however, that parents participate in the communication system of the program from their level of orientation and experience.

The certificated teacher is the principal agent in the teaching-learning processes of bilingual education. It is the teacher, not the administrator, who meets the child personally for the purpose of carrying out the goals of the program. The extent to which the teachers of the program are involved directly in the planning, the preparation, and the implementation of the functions of the program will decide the level of acceptance of bilingual education as an alternative for educating children.

DESIGNS FOR BILINGUAL PROGRAMS

The design of a bilingual program must reflect the needs of the students for which it is developed. This fact alone does not determine the design of a bilingual program. Other important considerations are the needs of the school and the needs of the society in which the child functions presently and will function in the future.

Thus, the design of any and all bilingual programs at the local school district level must respect the right of minority school children to receive quality education unimpaired by their language ability and their cultural roots. With this philosophical base, bilingual education programs have developed into two designs or types.

The Transfer Model of bilingual education, also referred to as transitional, is used in districts where bilingual education is viewed and used as a vehicle to integrate the school child of limited English ability into the dominant culture as quickly as possible. The major preoccupation of this model is the teaching and learning of the language of the dominant culture. More often than not, this language is English. The child's first (home) language is used as a basis from which English language instruction can be launched. The learning activities of this design emphasize the building of the four skills: listening, speaking, reading, and writing. English as a second language methodology is the vehicle of instruction used in this model.

Other characteristics of the transfer model of bilingual education are the following: (1) it is primarily a compensatory program of instruction; (2) generally speaking, the participating students are pulled out of the regular classroom for a specified period of time (45 minutes or so) and given intensive training in English; (3) the child's first home language is used in instruction as the medium for guiding the child into mainstream education; (4) the child's home culture is used as a medium also; (5) the time allotments for teaching the child in his first language and home culture will vary depending upon the child's socialization: the time allotments vary anywhere from 10 to 30 percent of the class time designated for a particular school subject; (6) the two languages of instruction are utilized interchangeably (often called the flip-flop method); (7) instruction is generally carried out within the self-contained classroom structure with adjustments being made according to student demands and teacher supply.

The Maintenance Model of bilingual education is used in districts where bilingual education is regarded as a discipline rather than a methodology. In this model, the child's first language and first culture are maintained alongside the language and culture of the school. Both languages and cultures are treated equally relative to conceptual organization (scope and sequence) and time distributions. In this model, a classroom setting would consist of two groups of students, each learning in its own and the other's language.

The maintenance model of bilingual education (1) insures the right of the child to learn in his vernacular language; (2) illustrates a commitment on the part of the school to multicultural education and also to the formation and continuance of a culturally-pluralistic society; (3) strengthens the bonds between the home, the school, and the community; (4) supports the right of all school children to be diverse and different within an organizational structure; (5) recognizes that the education of all children is a shared responsibility among several forces; (6) guarantees that linguistic differences in the community are understood by the children and maintained by them; and (7) guarantees the bi-cognitive development of children (field dependence and field independence).

Whether the local school district implements a transfer model or a maintenance model, it is recommended strongly that the administration do the following tasks: (1) determine the nature of the commuinity with emphasis on the existing social relationships between the two languages and/or cultures represented; (2) determine the composition of the classrooms that will be provided bilingual education services; (3) determine the desires of the parents whose children are to be involved in bilingual education; (4) recruit a professional and para-professional staff who demonstrate a knowledge of and a commitment to this type of instruction; and (5) determine the educational futures of the children in the program with special interest on what behaviors they will demonstrate as a result of this instruction.

Chapter 4

Curricular Considerations

Once the decision to implement a bilingual program is made and approved, teachers often feel unsure of what pedagogical techniques and materials to use in the classroom. A number of basic questions are asked. Should all subjects be taught in both languages? What are some new techniques? What about old ones? What about the basic curriculum already used by the school system? Some of the procedures suggested in this chapter are designed to answer these and other questions. Some will be new, while others will be traditional concepts in education that have been adapted to bilingual education. The following are suggestions that should be fundamental to any bilingual program:

Accept the child where it is and build upon the previously acquired capabilities including the native language which is already complete with a sound system, grammar and vocabulary.

There are still aspects of the first language that they need to learn about their language. You will be using their first language to teach them other things.

A second language is not "caught" by mere exposure. Effective and efficient second language teaching requires a sequential and systematic presentation of structural elements

with students of all ages.

Direct instruction in the two languages should be done at different periods of the day to avoid translation type learning.

Practice in speaking the second language should be provided in different types of meaningful situations.

Learning a new language requires a new skill and a new set of habits. Incorrect responses should be minimized and corrected by having the student repeat after the teacher model.

A child's success is dependent on its need to know; therefore, motivation is a crucial component and should not be neglected.

Curriculum for a bilingual program includes five basic content areas: (1) the use of both languages as mediums of instruction; (2) the study of diverse cultures; (3) the study of social and physical surroundings; (4) abstract concept development including mathematical concepts; and (5) creative expression including art and music. These basic areas are generally similar to most curriculum areas already in local school systems, therefore, they must be adapted to meet the unique linguistic and cultural needs of the students.

LANGUAGE ARTS

Language arts in a bilingual school should be treated either as one subject or two, depending on whether only English is taught, or both English and another language are taught. Language is the bedrock for American elementary education, but to understand bilingual education, one must look at language in its broadest sense, not simply as language meaning English. The first distinction to be made is what language the child understands, or if it knows two, which one is understood best. A person's language is central to his very being, therefore, the design of the language arts program ought to take careful consideration of the student's linguistic needs.

LANGUAGE ARTS: ENGLISH DOMINANT

Programs for the English-dominant child are already underway and readily available. The only important and extra dimension to be included is the bicultural aspect. Within the framework of the already present language arts program, high quality material depicting the child's culture should be utilized to further the aims of bilingual multicultural education. Broadening the horizons of the subject to overlap the rest of the curriculum (i.e., social studies) would go far toward answering the crucial question of overall time. The language arts program can be expanded to the realm of oral and written literature by choosing material that reflects the realms, tastes and attitudes of the students' culture. Developing a positive self-concept is of primary importance in a bilingual project and certainly the presentation and use of appropriate cultural material can go far in meeting this goal.

LANGUAGE ARTS DOMINANT IN ANOTHER LANGUAGE

A six-year-old child, on the first day of school, arrives with a certain amount of linguistic equipment. This equipment may not include English skills, but billions of people all over the world and millions of United States citizens speak a language other than English. Just as in the case of the English speaker who is taught to read and write in English, this child should be taught to read and write using the tools and skills he brings to the class. This means, for example, that Spanish, Cherokee, or Seminole-Creek literacy should precede reading in English for children who speak these languages. (The acquisition of English as a second language is discussed in the ESL section of this chapter.) It should be noted that teaching a child to read in another language may mean using different techniques; therefore, appropriate materials should be used. Special care should be taken in the selection of materials and dove tailing with social studies curriculum should be explored. Another alternative is the use of language experience charts where the availability of prepared material is scarce. This technique allows children to use what they

know and can result in a more meaningful learning experience.

Having learned to read in the dominant language greatly facilitates learning to read in a second language, particularly if one can speak the second language. Certain concepts have already been acquired in the first language, such as sound-symbol relationships, sentence structure, and left to right progression. Development of visual and manual skills need not be repeated in the second language.

If a trained certified teacher is not available to teach reading in the first language, an aide, parent volunteer, or other member of the community who can speak and read the first language may be used. If such assistance can not be found in the community, the child should not be immediately taught reading in English, but rather the language arts time should be devoted to ESL. English reading should not be imposed on the student until the oral and aural skills are sufficiently present to warrant the teaching. All children must be at the point of being able to understand and speak the second language before they can read and write it.

ESL (English as a Second Language)

Teaching English to students who already speak English is not at all the same as teaching English to a student learning the language as a second language. The two are radically different processes, therefore, a teacher must acquire materials sepcifically designed for ESL and must use the techniques required for the program. Children must first be able to understand and speak the second language before they read and write. Thus, a great deal of oral practice is necessary before reading and writing skills are developed. The immediate goals of ESL are: (1) to have the children discriminate and produce the distinctive sounds of the second language in the context of words; (2) to interpret and produce its basic sentence patterns; and (3) to use an adequate vocabulary (Saville and Troike, p. 52). When new elements of vocabulary structures, or pronounciation are being introduced, they should be presented in sentence patterns already familiar to the student so that the child can focus on the new items and not be distracted or confused by the grammatical structure. The teacher should avoid emphasizing the mechanics and grammatical rules of the language primarily because the child needs to develop performance before theory. In other words, they learn to speak prior to understanding the whys of sentence structure. On the other hand, the teacher should be aware of possible interferences from the native or first language in terms of sounds not present in the first language and only present in the second language and the differences in grammatical arrangement. Having some knowledge of the native language allows the teacher to be aware of problem areas. The teacher serves as the language model and presents the language in a sequential and systematic fashion and must emphasize the development of active listening and speaking. The second language program must be related to the student's home, community and classroom environment. This emphasis provides motivation, relevancy and a positive reinforcement of the child's sociocultural background.

English as a second language is a complex and growing field and any teacher or administrator working with linguistically different children should keep abreast of new developments. This section has provided some general approaches toward the teaching of a second language. Those needing more detail in technique can find the information in the following books: Mary Finocchiaro's ENGLISH AS A SECOND LANGUAGE FROM THEORY TO PRACTICE; Saville and Troike's A HANDBOOK OF BILINGUAL EDUCATION; and Constance and Robert Jolly's WHEN YOU TEACH ENGLISH AS A SECOND LANGUAGE.

SOCIAL STUDIES

In the past, social studies curriculum did very little to positively reinforce diversity and differences among groups of people. The "melting pot" theory in the curriculum emphasized the concept that eventually all

United States citizens would become similar and differences were highly discouraged and rarely tolerated or accepted. In recent years, primarily in response to the civil rights movement of the 1960's and a revitalization of ethnic pride, the focus of the social studies curriculum has become pluralistic in nature. Despite these reforms, many social studies programs lack goals, objectives, and sound guidelines that reflect current research. In order for a bilingual program to be successful, it is imperative that the social studies curriculum be based on guidelines that reflect the goals of bilingual and multicultural education. The entire educational setting including school policies and procedures should foster positive multiculture interaction and understandings among students, teachers and the supporting staff. Ethnic diversity should be a part of all school activities and not merely a course that teaches about cultural contributions of all groups within a society. Learning centers, libraries, and resource centers should include a multitude of materials in history, literature, music, folklore representing various ethnic groups. The multicultural curriculum should provide students with continuous opportunities to develop a better sense of self. Instructional materials and techniques should be available to assist children in developing self and ethnic identities.

SCIENCE AND MATHEMATICS

In developing the science and mathematics curriculum, the planners basically have two alternatives. The first alternative for those children who are dominant in another language is to teach the concepts in the child's first language. Obviously this will facilitate the learning process. If one chooses to take this alternative, materials in the language can be acquired and/or translation of available materials can be implemented. Gradually, as the children progress, the English lessons are introduced and first language lessons are slowly reduced.

Another alternative is to teach the math and science concepts in both the first and second languages, not concurrently, but at different times of the day. For example, a thirty-minute math lesson in the first language is taught in the morning and the same thirty-minute math lesson in English is taught in the afternoon. All the children may participate in the English lesson. Later the lesson is repeated in the first language in a small group situation, only to those dominant in another language. It should be noted that the math and science ideas, when presented in English, can be grasped easier if ESL techniques are incorporated into the lesson. This procedure continues through the grades so that as the English skills are being developed and expanded, the first language skills are also developed and maintained.

Multicultural content does not have the same application in this area as in social studies and language arts, but approaches do matter in the practical applications of problems and experiments. Instruction should be attuned to the life the child finds around him. The answers will be the same but referring to a sum of "manzanas" rather than "apples" may be a surface difference that can affect the learner. Although most mathematical and scientific ideas are universal and do not differ from culture to culture, there are cases where differences occur and both notions should be presented side by side. Some native American's understanding of the physical world is quite different from the Western European scientific tradition. A teacher using a multicultural approach should present both systems of thought as a history of science, and, in addition, two systems can also provide scientific insights into a deeper truth (Anderson and Boyer, p. 85).

ART AND MUSIC

Art and music are areas where we have achieved the greatest intercultural tolerance and acceptance. There has always been a great deal of interest, and it has been considered "chic" to attend showings of cultural art exhibitions. Concerts and operas presented in foreign languages are attended by thousands not speaking the language. As teachers, we should take advantage of this phenomena and build on it as we develop ethnically pluralistic attitudes in our students.

As units and lessons are designed in the areas of art and music, special care should be taken to carefully dovetail these activities with those in social studies. The key to a successful art and music program is teachers that love and feel the subjects. People of this caliber can transform tolerance and acceptance into understanding and increase the possibility of multicultural appreciation.

HEALTH AND PHYSICAL EDUCATION

Health concepts, although often thought of as scientifically based, are more often culturally based. Some cultures believe daily bathing is necessary, while others may not. Others believe raw vegetables are healthy, while others would not agree, and still others believe all meats are edible while pork is not accepted by some. The fact is, good habits are often cultural opinions. Thus, when approaching health education, such concepts and notions should be presented as simply opinions (Anderson and Boyer, p. 85).

The same latitude should be made available for physical education. Certain games or dances may not be approved by particular cultures. Consequently, these should not be imposed upon children thereby forcing them to violate their cultural patterns. The richness of variety through games and dance will stimulate the interest of children as well as fulfill the goals of bilingual education.

Chapter 5

Operation of a Bilingual Program

STAFF DEVELOPMENT

An essential feature of an effective bilingual-multicultural program is a comprehensive, well-designed pre-service and in-service training component which includes administrators, teachers, supplementary staff and parents. The objective of a staff development program would be for every participant to achieve a high degree of insight and knowledge in the area of bilingual-multicultural education and to develop a sensitivity to limited English-speaking students.

Staff development pre-service sessions should include: (1) philosophy of bilingual-multicultural education; (2) rationale; (3) program design; (4) methodology; and (5) material selection and/or development.

During that first year of implementation, it is essential that inservice sessions be planned monthly or bimonthly. These sessions could cover a variety of topics, such as instructional strategies, material development, integration with already established curriculum or other needs that may arise as the program develops. Inservice may also include participation in conferences held throughout the country.

The federal government has organized resource centers specifically designed to provide consultant assistance to local school systems. The addresses of the centers established to service Oklahoma can be found in the appendix of this handbook. The State Department of Education also has personnel available to provide assistance with all phases of bilingual education.

BUDGET DEVELOPMENT

Developing a sound and consistent budget is a basic step in developing a bilingual-multicultural program. Recent research indicates that new programs are initially expensive, so one must assume that additional monies will be needed to implement an effective bilingual-multicultural program.

The numbers of language different students will be a determining factor in terms of cost per student. The cost is greater in districts where small numbers of special populations exist and less expensive per student when the opposite is the case.

Administrators who recognize the need to create bilingual-multicultural programs by virtue of the existing needs of children should consider various funding sources – local, state and federal.

It would be most desirable if bilingual-multicultural education were supported by local and state revenues since many federal funds are not assured from year to year. This would insure the maintenance and consistency of a viable program.

The budget of a well-supported bilingual-multicultural program should reflect the following five basic operations: (1) administration; (2) instruction; (3) curriculum materials; (4) community involvement; and (5) staff development.

Budgets are frequently scrutinized to the very last detail to determine if there are any excesses, non-important items, or excessively expensive educational programs. In contemplating the implementation of a bilingual-multicultural program, administrators must consider the demonstrated need of language-different students along with the projected expenditures that would be made. Excellent, positive long range benefits for a community can be derived from an effective bilingual program and this aspect needs to be emphasized in any publicity on a proposed program.

SELECTION OF MATERIALS

The selection of materials is a very important step in the development of a good bilingual-multicultural program. The following guidelines should be adhered to when selecting bilingual-multicultural materials:

(1) Select materials which meet the instructional need of students;

(2) Select materials which reflect the culture of students;

(3) The language presented in the materials should be congruent with the children's language experience.

ACQUIRING FACILITIES

The bilingual program can and should be integrated into the educational program of the total school. There should not be any visible and/or noticeable separation of facilities for children involved in the bilingual program.

Administrators and educational leaders should make a concerted effort to emphasize the positive aspects of this innovative program. The transitional process should be made as smoothly as possible within the normal scheduling process. This should alleviate any special facility problems.

The ideal situation in bilingual-

multicultural education is to involve all children so that a degree of understanding of various cultures is achieved. The administration should encourage all parents and children to become involved in this innovative program, not solely the language-different people of the the community.

COMMUNITY INVOLVEMENT

If one accepts the premise that the community is an integral part of education, then one would naturally seek to involve the community in educational programs. In a bilingual-multicultural program, it is extremely important that there is much community involvement for the express reasons of community support as well as evaluative feedback.

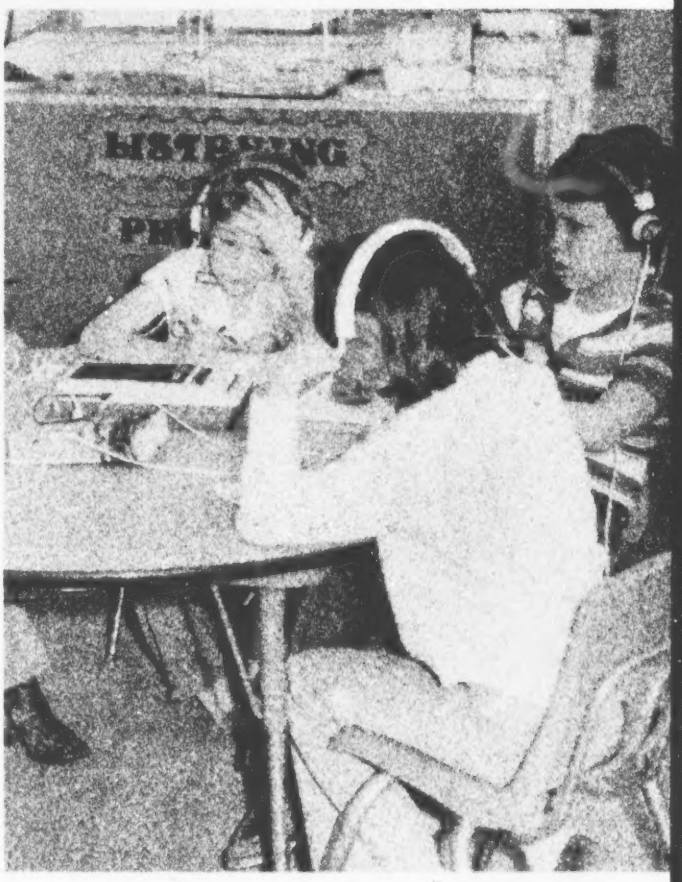
An effective community advisory committee can serve to insure that the objectives of a bilingual-multicultural program are met and secondly to involve the parents in the education of their children. It would be advisable to select community people from different economic levels and attempt to get widespread representation of the community.

There are a number of valuable resources in the community which can be utilized for various cultural presentations. Parent volunteers and classroom aides could be employed by the school district. Parent-teacher associations should be encouraged to develop study committees for bilingual-multicultural education programs.

The community plays an integral part in the success or failure of an educational program. The administrator should be instrumental in bringing the community into contact with new programs and should undertake the leadership role in directing and guiding new programs.

Because of previous experiences in schools, minority parents are sometimes suspicious of the motives of those implementing new bilingual programs. It is thus especially important to take time to explain patiently and in detail the purposes of the program. And, finally, the parent must always have the right to refuse for his child to participate.

Chapter 6



Program Evaluation

Evaluation should include documentation and assessment of:

(1) Community, school and student needs (needs assessment);

(2) Program effectiveness in meeting objectives and goals which are established on the basis of needs.

Evaluation of an experimental project should be a continual process. Program elements which should be documented and assessed include:

(1) Staff training
(2) Development of materials

(3) Implementation of materials
(4) Teaching techniques and styles employed
(5) Staff organization and interaction
(6) Program and classroom organization for child-adult interaction and peer interaction
(7) Community and parent involvement and interaction with program
(8) Attitudes of staff
(9) Attitudes of community, parents and students

Documentation of these procedural elements are essential for analysis of the results of the program.

When planning for a bilingual program, provision should be made for employment of an internal evaluator as well as an outside evaluator or "auditor." As a regular staff member, the internal evaluator works with other staff members in assessing and evaluating program activities for the purpose of identifying successful and unsuccessful elements in the program and initiating necessary changes.

Both internal and external evaluators should make results and feedback readily available to staff members in order to facilitate program growth and improvement.

Summative evaluation is the evaluation of long-range goals of the program and is a responsibility of both internal and external evaluator as well as all staff members of a program. This usually consists of assessments at the beginning of each year (called the pre-testing) and at the end of each year (called post-testing).

Pre- and post-testing usually includes a standardized achievement testing, assessment of language dominance and/or proficiency, and criterion-referenced testing for evaluation of fulfillment of local objectives. It is indeed advisable that determination of cognitive or learning styles of students take place. Most programs also include the gathering and analysis of data relative to the self-concept perception of students in the program.

According to Saville and Troike (1971), the "most important area to test for in the fall and spring is competence in both languages of instruction." A description of the child's language patterns can be determined through the use of a home language questionnaire completed in an interview situation with the child's parents or guardians. It cannot be assumed that because a child only responds in a certain language at school that it is his preferred or dominant language. The child may be responding as he feels it is socially acceptable to respond or out of fear of embarassment he may choose to communicate only in the first language although he has functional comprehension and communication skills in the "school" language.

The external evaluator can offer advice on an effective evaluation design for determining if the program is meeting its process and product goals. He reports for the benefit of the local program and the outside funding source. The outside evaluator does not usually collect data directly, but analyzes and reports on data collected by program personnel.

All educational programs should include both formative or process evaluation and

summative or product evaluation.

Formative or process evaluation should be a concern of all staff personnel. However, this aspect of evaluation must often center on the classroom teacher who continually observes and evaluates curriculum impact on children on a day-to-day basis.

The internal evaluator should be utilized in determining types of instruments to be used (which may be developed by a staff team) and when they are to be administered. Many of these instruments need not be sophisticated. They can be as simple as a short checklist, employed by teacher and/or student. Instruments should be consistent with program goals and objectives and data should be carefully and consistently recorded and compiled for reference when making program progress reports.

A home language questionnaire also provides the school with socio-linguistic information such as adult-child interaction and interaction with siblings. Once the child's language usage patterns have been identified, it must be determined what language structures the testor will evaluate. Possible domains were listed by Silverman, Noa, & Russell (1976): (1) vocabulary; (2) phonology; (3) grammar; and (4) semantics. Care should be taken in deciding if all of these domains should be assessed in determining language proficiency. The outcome of "measurement (of language proficiency) is not only influenced by the social context factors in a child's speech, but also by election of the communication skill area – listening, speaking, reading, writing – examined in the text" (Silverman, Noa, & Russell 1976).

The major tools used to measure language dominance and proficiency to date have been: (1) language usage questionnaire; (2) story telling; (3) question and answer; and (4) language repetition and completion (Silverman, Noa, & Russell, 1976).

There are few instruments at present which assess all four language structures (vocabulary, phonology, grammar, and semantics). Those which do are still in the field-testing and norming stages. A local education agency may choose to select one or more instruments, design and norm its own or use parts of different instruments in order to meet the requirements of its program objectives for language assessment.

INTELLIGENCE AND ACHIEVEMENT TESTING

Most authorities agree "that no verbal measure of intelligence has been found to be reliable with children who have linguistically different backgrounds" (Saville & Trike, 1971).

It is recommended that an IQ test not be administered at the beginning of a program. Most instruments presently being used are culturally biased, even if the test is administered in the child's dominant language.

Achievement testing should be a part of the annual pre- and post-testing. This can be accomplished through use of district chosen standardized tests and/or criterion referenced tests.

A crucial issue and consideration in achievement testing is also that of culture bias. Most standardized achievement tests

have limited norming and do not include samples from all groups to which they are administered. Local norming of standardized tests can make them more relevant as far as fair scoring is concerned. However, some children may score lower than others because of a lack of cultural relevance of test items. These tests can be useful and are often employed for expediency until more appropriate measures are available. Some test instruments are more relevant to a geographical region than others, therefore, many should be examined before final selection is made. Locally-designed criterion referenced instruments can be designed to evaluate knowledge gained or mastery of concepts in reading, math, science, culture and heritage, changes in self-concept and attitudes and/or other program goals.

Special training is recommended for persons designing such instruments, although these need not be highly sophisticated instruments.

ASSESSMENT OF COGNITIVE STYLES

Determination of a child's cognitive or learning style can greatly facilitate learning in and out of the classroom. Determination of cognitive style identifies how a child learns more readily.

Several studies listed in the bibliography have found that members of different ethnic gruops exhibit different patterns of intellectual or cognitive styles. Ethnic gruops including Chinese, Jewish, Black, Mexican-American, and Anglo-American were found to achieve better in some areas than in others (Ramirez & Castaneda, 1974).

Differences among various ethnic groups were also found in need achievement for self or family and in need succorance (willingness to rely on others, particularly adults, for help in guidance).

Although need achievement and need succorance varies from group to group, such traits vary within groups as well. It should be remembered that each child is an individual and develops styles and means of learning, organizing, assimilating information, and interacting with their (physical and emotional) environments. Care should be taken to assure groups are not stereotypes.

Several tests have been developed for determination of cognitive styles in both adults and children. The two most widely used with children are the Embedded Figures Tests and the Portable Rod and Fram Test (Oltman, 1968). The Draw-A-Person Test has also been used to assess cognitive style. Although the School Situations Picture Story Technique (Ramirez & Price-Williams, 1971) was originally designed to assess motivation and conflict in elementary school children (ages 9-11), it can also be used to determine cognitive style, human relational styles and socialization styles. The School Situations Picture Story Technique consists of a set of seven line drawings of a person or persons in a school-related situation. Ramirez and Castenada (1974) developed child and teacher field sensitive and field independent behavior rating scales which can be helpful in assessing learning and teaching styles. The teacher scale is a self-evaluative form which can assist the teacher in identifying her style and in

developing traits of the other style in order to broaden his/her range of teaching styles to deal with different situations more effectively.

The scale for the identification of a child's learning style is an observation checklist which aids the teacher in determining which teaching style will best facilitate learning in the child. The ultimate goal is not only to allow the child to learn in the most comfortable learning style, but to utilize that style for maximum learning. The teacher also assists the child in acquiring other styles or learning and interacting.

TESTING HINTS

Any individual or group testing, particularly with young children, should be administered by someone with whom the children are acquainted and at ease. A group testing situation should include a bilingual test administrator to insure that the students understand and follow directions. Testing periods should be kept short whether it is individual or group testing.

If a child scores unusually or inconsistently low or high in a particular phase of the test, another means of testing the same skill, concept, attitude, ability, etc., can be employed to check accuracy of the original assessment.

Testing procedures should be followed closely. Explanations and directions can be given in the child's dominant language even if the test is for assessment of English language skills.

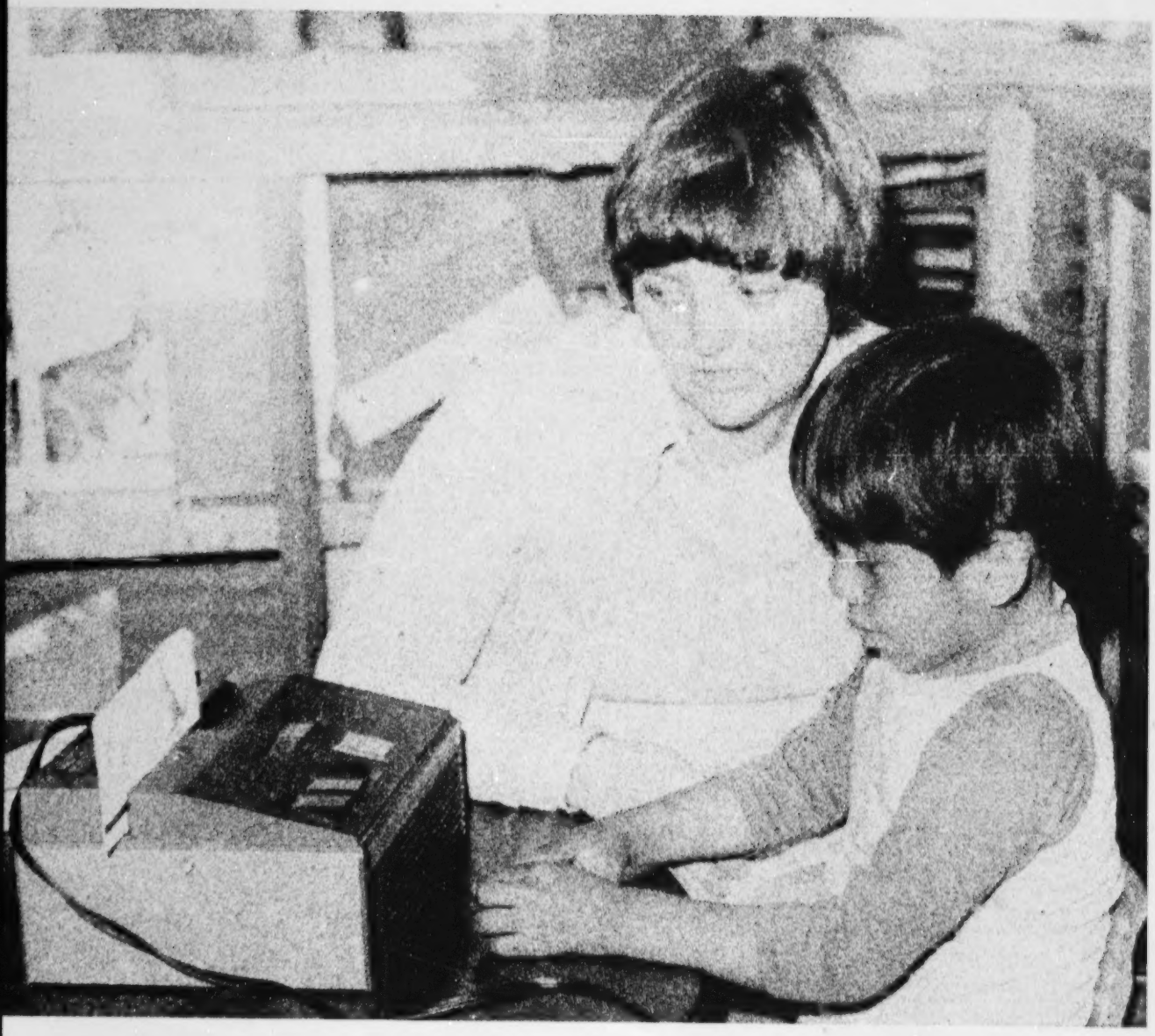
Personnel administering tests should have prior training in the administration of tests that they will be required to use. Teacher attitudes can often influence a child's score. More often than not a sympathetic teacher will want the child to score well both in pre- and post-testing and as a result, accurate assessment will be difficult.

Careful, descriptive, and accurate program evaluation and documentation should be emphasized to all staff members.

Honest and open data determines whether or not a program is refunded. The local education agency also needs such information in determining which programs best meet the needs of the school and community and consequently which should be continued with local funds and which should be discontinued after federal funding terminates.

Attitudes and opinions from parents and community can also be invaluable feedback on program progress and impact. This feedback can be obtained in checklists or questionnaires sent to parents and other community members or through participation in group discussions which can be recorded for later analysis.

A bilingual-multicultural program must include within its structure processes which involve the generation and analysis of data relative to program implementation. All educational programs need the insights which can be derived from periodic and/or continuing evaluation. It is only through such a process that the program thrives and continues to contribute to the improvement of society. Such evaluation must be carefully planned and conducted, not based on unstated beliefs and assumptions which may result in conclusions which cannot be supported by valid evidence.



Appendix

1. United States v. Texas (Texas) United States District Court, 1971

LITIGATION

Legal action was commenced by the United States for the purpose of dismantling the dual school system in Texas which had denied minority children their rights under the Fourteenth Amendment of the United States Constitution.

COURT FINDINGS

"Mexican American students in the Del Rio area have been subjected, over the years, to unequal treatment with respect to the educational opportunities afforded them and are, thus, part of a so-called de jure dual school system based upon segregation of students of different ethnic origins." The defendants were ordered to implement a bilingual-multicultural program for all students.

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2. Aspira v. Board of Education of the City of New York, (New York) United States District Court, 1974, 1975

LITIGATION

A class action suit was filed charging the New York City Board of Education with failure to provide Spanish-speaking Puerto Rican students an equal educational opportunity and that such a denial violates Plaintiffs' rights under the First, Fifth, Ninth, and Fourteenth Amendments to the United States Constitution, Title VI of the Civil Rights Act of 1964 and regulations promulgated thereunder.

COURT FINDINGS

The court accepted a consent decree calling for bilingual education for all New York City school children who need it. Among the elements of the decree are (a) a planned and systematic program designed to develop the child's ability to speak, understand, read and write English; (b) instruction in substantive courses in Spanish; (c) a planned and systematic program designed to reinforce and develop the child's use of Spanish.

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3. Lau v. Nichols, (California) United States Supreme Court, 1974

LITIGATION

A class suit brought by non-English speaking Chinese students against officials responsible for the operation of the San Francisco Unified School District seeking relief against the unequal educational opportunities which are alleged to violate the Fourteenth Amendment of the United States Constitution.

COURT FINDINGS

The court reversed the rulings of the District Court and the Court of Appeals and remanded the case for the fashioning of appropriate relief. No specific remedy was urged; however, the Board of Education was directed to apply its expertise to the problem and rectify the situation. Bilingual education was seen as an alternative for securing equal access to the instructional program for language-different children.

4. Serna v. Portales Municipal Schools, (New Mexico) United States Court of Appeals, 1974

LITIGATION

A class action suit by Spanish surnamed Americans seeking declaratory and injunctive relief against Portales Municipal School District for alleged constitutional and statutory violations committed under color of state law. Plaintiffs contended that the school district deprived them of their right to equal protection of the laws as guaranteed by the Fourteenth Amendment of the United State Constitution and of their rights under Title VII of the 1964 Civil Rights Act.

COURT FINDINGS

The court found an equal protection violation in the failure of the school district to adopt an education program which would guarantee equal educational opportunity to Spanish-speaking children. It ruled that there was a statutory violation of the student's Title VI rights. The trial court fashioned a bilingual-multicultural program which would assure that Spanish surnamed children receive a meaningful education.

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5. Oklahoma Attorney General's Opinion October 2, 1975 (Opinion 75-231)

NO LITIGATION

COURT FINDINGS

Pertinent quote: *"Under the holding in LAU, all federally assisted school districts in Oklahoma are under an affirmative duty to make remedial efforts by providing bilingual classes or otherwise as necessary to meet the linguistic needs of pupils who enter school unable to speak and understand the English language."*

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6. State Board of Education Policy Adopted December 20, 1976

NO LITIGATION

COURT FINDINGS

The Board recognized the special needs of students in Oklahoma schools who come from a different language or cultural background; affirms the right of all students to equal educational opportunity; sets basic goals for programs which should include: proficiency in English; use of special materials, teachers and aides; teach reading and writing in the child's dominant language; utilize the child's home culture and values.

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